



Committee on Government Reform

CONGRESSMAN TOM DAVIS, CHAIRMAN

July 2004

Spotlight on Reform

A Monthly Communications Memorandum on
Government Reform Committee Agenda and Accomplishments

Washington, D.C. – Chairman Tom Davis (R-VA) and other members of the House Committee on Government Reform continue to pursue a wide-ranging agenda focused on promoting the President's Management Agenda, ensuring maximum performance from government agencies, delivering the highest value to taxpayers – and exercising vigilant oversight on behalf of all taxpayers.

Supersizing of America

On June 3rd, the Committee held a hearing to examine the growing obesity epidemic. As of 2000, nearly two-thirds of all Americans were considered overweight or obese by the National Center for Health Statistics (NCHS). Obesity will soon surpass smoking as the leading avoidable cause of death among Americans, and has been linked as a cause to several diseases that account for over two-thirds of all deaths in the United States (including cancer, heart disease, diabetes, and stroke). In economic terms, the Centers for Disease Control and RTI International completed a

report in January that revealed the nation spends \$75 billion per year on obesity-related health issues, with more than half paid by taxpayers through Medicare and Medicaid.

Against this backdrop, the Federal government is reexamining many of its health and nutrition policies. The Committee examined these initiatives with the goal of assessing their impact and whether the Federal government can, or should, do more. The Committee also heard from leading private sector diet and nutrition experts to determine what the government can learn from their approaches and expertise. This nation will continue to suffer severe health and financial consequences unless more steps are taken to encourage individuals to make healthier lifestyle choices.

Are Federal Programs PAR for the Course?

On June 3rd, the Committee approved the Program Assessment and

Results Act, or PAR Act. PAR would improve the efficiency and effectiveness of the Federal government by amending the Government Performance and Results Act (GPRA) by requiring OMB to review each program activity in the federal government at least once every five years. Currently, GPRA requires agencies to develop annual performance plans and reports, but it stops short of requiring any type of comprehensive assessment of the operations and effectiveness of federal programs.

The purpose of the legislation is to require OMB to review each program activity by focusing on the program's purpose, design, strategic plan, management, results, and any other matters that the OMB Director considers appropriate. OMB would then be required to submit the results of the reviews for a fiscal year to the Congress along with the President's next budget following the end of the fiscal year in which the reviews were conducted. This process – evaluating effectiveness program-by-program – is necessary to ensure the best use of tax dollars. By codifying the requirement to review all federal programs, the government can take an important step toward producing a more results-oriented government.

Rebuilding Iraq: Getting Beyond Partisan Politics

On June 15th, the Committee held another hearing on the challenges surrounding Iraqi contracting. The purpose of this hearing was to continue oversight of contracting processes and explore issues surrounding how the contracting process has operated under wartime conditions.

The Committee attempted to get beyond partisan sniping aimed at

undermining the reconstruction process and instead focus on exploring the challenges facing contracting operations, which are critical to US efforts to rebuild a peaceful and democratic Iraq. Procurement is complicated enough without adding rhetorical bullets and explosions to the equation.

Colombia's Drugs and Thugs

On June 17th, the Committee held a hearing to gauge the success of Plan Colombia, an integrated strategy designed to meet the most pressing challenges facing the country – promoting the peace process, combating narcoterrorism, reviving the economy, and strengthening democracy. The United States strongly supports Plan Colombia by providing assistance to fight the illicit drug trade, fortify the rule of law, protect human rights, expand economic development, and foster peace.

After years of effort, the U.S. is beginning to see returns on the money, time, and resources invested in Colombia. Although U.S. assistance to the Government of Colombia has led to meaningful signs of success under the strong leadership of President Alvaro Uribe, obstacles do remain. Complete realization of U.S. policy goals requires a concerted Colombian strategy and effort sustained by continuous U.S. assistance. Witnesses at the hearing provided an update on the current status of U.S.-Colombian programs, progress that has been made in recent years, and an assessment of remaining challenges in the war against narcoterrorism.

D.C. Authorizations Have New Route

On June 21st, the U.S. House approved the 2004 District of Columbia Omnibus Authorization Act, introduced by Chairman Davis and Del. Eleanor Holmes Norton. The bill will provide a new annual vehicle for enacting laws that change the Home Rule Charter or involve federal laws without attaching them as riders to the D.C. appropriation. The annual D.C. authorizing bill would be separate from the appropriations bill. Up to this point, the District has had no choice but to go through the appropriations process for assistance on authorization related matters.

Representation for Democracy's Home

On June 22nd, Chairman Davis introduced H.R. 4640, which would treat D.C. as a Congressional District and allow the citizens of the District to elect a full, voting Member of Congress. To provide for a politically neutral increase, Davis' bill would increase the size of the U.S. House by two seats to 437 – one seat for the District and one for the state next in line for an additional seat – for the remainder of this decennial period. The state next in line for an additional seat is Utah, a state with two Republican Senators and two of three current congressional seats held by Republicans. A Democrat would almost certainly be elected from the District, where Republicans make up only 7 percent of the electorate. Thus, the two seat increase would have no net effect on the balance of power in the U.S. House.

The very next day, the Committee held a hearing to examine the four main bills introduced this Congress to give the District of Columbia voting representation in Congress, including Chairman Davis' innovative approach. During the 108th Congress, there has been much conversation and study into finding a

legislative path to more direct representation. The goal of the hearing was to have a presentation of each position in a way that will allow Congress to choose a course of action. It is unfortunate that residents of the nation's capital, home of American representative government, are denied any voting representation in Congress.

Regional Coordination for Nation's Capital

In the Homeland Security Act of 2002, Congress created the Office for National Capital Region Coordination (ONCRC) within DHS, recognizing the vulnerability and unique characteristics of the D.C. region. The ONCRC is charged with coordinating Federal programs and domestic preparedness initiatives for the region, which is home to 12 local jurisdictions, two states, the District of Columbia, and three branches of the federal government. Following the Committee's two hearings last year on this issue, and in light of witness testimony and recent events, Chairman Davis asked GAO to examine the budget and spending plans for the National Capital Region to help Congress identify whether this region is sufficiently funded and using the funds to its fullest capacity.

On June 24th, the Committee held a hearing to review the findings of the anticipated report and allow federal, state and local authorities to respond to those findings. It's discouraging that, according to the GAO report, there's been no coordinated plan for spending the vast majority of federal emergency preparedness funds Congress made available the past couple of years. This hearing continued the Committee's oversight work to ensure that regional preparedness programs and activities are

developed and evaluated under appropriate standards and that resources are allocated effectively and efficiently to best improve and sustain regional preparedness.

Protecting D.C. Retirement

On June 24th, Chairman Davis and House Democratic Whip Steny Hoyer (D-MD) introduced H.R. 4657, “The District of Columbia Retirement Protection Improvement Act of 2004,” which streamlines the administration of pension benefits for many D.C. retirees.

The legislation promotes more efficient investment, account and financial reporting of two D.C. pension funds – the D.C. Federal Pension Liability Trust Fund and the Federal Supplemental D.C. Pension Fund – by combining the two funds into a newly created D.C. Teachers, Police and Firefighters Pension Fund. The bill also puts into law the appeals rights of those covered by the judges’ retirement plan. Employees covered by this plan already have – by regulation, not by law – the same appeals rights as police officers, firefighters and teachers. This legislation would simply codify those regulations. By streamlining and simplifying the administration of pension benefits, this new law will help dedicated D.C. employees more accurately plan for their retirement

D.C. Cancer Screening

On June 28th, Chairman Davis wrote to Robert C. Bobb, City Administrator for the District of Columbia, to express his concerns and seek information related to the ineffective management of three federally funded

cancer screening and prevention programs for its poor citizens.

In one instance, the D.C. Department of Health failed to spend a \$1 million grant for one of the screening programs, Project WISH (Women Into Staying Healthy), resulting in a six-month suspension of its operations for needy women. Members of the D.C. Cancer Coalition have criticized the Department of Health for not providing the necessary leadership and staff to fulfill the conditions of the federal grant. The District has the unfortunate distinction of having the highest overall cancer mortality rate in the country, and it is unacceptable if someone is unable to be diagnosed with cancer in its early stages because of bureaucratic ineptness.

Upcoming Agenda

No Commute? Sign Me Up

Telecommuting, the use of technology to work from home or other locations instead of an a central office, has emerged as an essential management tool for the Federal Government. Benefits of telework include reducing traffic congestion and pollution, improving employee recruitment and retention, increasing productivity, and reducing the need for office space. In addition, telecommuting allows agencies and businesses to function through occurrences that can disrupt business as usual. In the post-September 11th era, continuity of operations is a paramount concern. Many Federal departments and agencies remain unprepared to operate in the event of a catastrophic event. Despite the substantial benefits, the numbers of employees eligible for telework in the Federal

Government are far below the legal requirements set by Congress four years ago.

On July 8th, the Committee will hold a hearing to examine current Federal telework policy as well as the cultural issues that pose challenges to telework in order to determine why agencies are repeatedly failing to reach Congress' requirements.

Where's the Beef?

On July 14th, the Committee will hold a joint oversight hearing with the House Agriculture Committee on USDA's Expanded Surveillance Program, which is designed to detect cases of Bovine Spongiform Encephalopathy (BSE), commonly known as mad cow disease, in the U.S. cattle population. The Expanded Surveillance Program went into effect after the first case of BSE in the U.S. was discovered in Washington state on December 23, 2003. The Committee has conducted a six-month investigation into USDA's response to the BSE-infected cow. This hearing will evaluate the effectiveness and adequacy of the means and methods employed by USDA to safeguard the American public from BSE.

Iraqi Reconstruction **Part IV**

The Committee will conduct an oversight hearing on the US efforts to rebuild Iraq on July 22nd. This is the fourth hearing on our rebuilding efforts; a further look into the challenges faced by contractors on the ground in Iraq in supporting our troops and civilian workers in their efforts to secure and rebuild Iraq.

Government contracting is difficult enough under normal circumstances. Add

in the urgency and inherent dangers of a war zone, and the challenge of acquiring urgently needed goods and services becomes quite daunting. Through this hearing we hope to continue to separate truth from political rhetoric – and, in turn, help make sure the U.S. is coordinating contract processes in Iraq in a way that ensures success and safety.



**Subcommittee on
Energy Policy,
Natural Resources &
Regulatory Affairs**

On June 3rd, the Subcommittee sent a letter, co-signed by three House Chairmen, on OMB's draft second report of the Small Business Paperwork Relief Act (SBPRA) Task Force. This report to Congress is statutorily due on June 28th. In July, the Subcommittee will hold a joint hearing on the final version of OMB's report and further agency implementation of SBPRA, including each agency's single point of contact for small businesses, compliance assistance resources for small businesses, and enforcement reports (the first of which were due December 31, 2003).

On June 22nd, the Subcommittee held a hearing on the siting of liquefied natural gas (LNG) on-shore and off-shore facilities. The hearing was entitled, "LNG Import Terminal and Deepwater Port Siting: Federal and State Roles."

In July, the Subcommittee will hold a hearing, a follow-up to its May 28th field hearing in Las Vegas, to further discuss options to address high gasoline prices. Various Federal agency witnesses will testify.



Subcommittee on Civil Service & Agency Organization

On June 7th, Chairwoman Jo Ann Davis (R-VA) and Ranking Member Danny Davis (D-IL) traveled to Chicago to hold a field hearing on the slow-moving federal hiring process. Witnesses included the deputy director of OPM, officials from GAO, the U.S. Census Bureau, and representatives from the private sector and the academic world – including a recent law school graduate who detailed her difficulties in trying to land a federal job.

By most accounts, the federal hiring process is a significant obstacle for government agencies trying to hire the best and brightest. Once they get past the sometimes confusing and duplicative forms, applicants can wait for months to learn if they are hired. Worse, many would-be employees report that, after submitting their applications, they never hear from agencies at all. Meanwhile, private sector employers routinely hire people in a much quicker timeframe and in a much more efficient fashion.

Chairwoman Davis pledged to hold a follow-up hearing to evaluate the progress OPM is making in knocking down these barriers.



Subcommittee on National Security, Emerging Threats & International Relations

In June, the Subcommittee held a hearing on research and treatment of Gulf War veterans' illnesses. It was the 17th hearing on Gulf War veterans' health issues conducted by the Subcommittee since 1993. A member of the British Parliament, Lord Morris of Manchester, participated in

the hearing on behalf of the Royal British Legion and U.K. veterans of the 1991 war. Both U.S. and U.K. researchers concluded important findings have been made about the effects of toxic exposures but a sustained research effort is needed to capitalize on them in terms of diagnostics and treatments. Continuing its examination of post-conflict reconstruction and public diplomacy, the Subcommittee also heard testimony from the Iraqi diplomatic representative to the United States and other experts on US efforts to win the hearts and minds of Iraqis and Muslims throughout the region. It was generally agreed the goodwill earned with the ouster of Saddam Hussein had been all but spent on subsequent halting efforts to restore basic services and establish security. Finally, the Subcommittee completed its examination of post-9/11 physical security upgrades at the Department of Energy's nuclear facilities with testimony on efforts to secure decommissioned sites and other "non weapon" sites.

In July, a hearing will be held to determine if any progress has been made plugging holes found last year in the visa revocation process. At issue is the process for tracking individuals whose non-immigrant visas are revoked on grounds of possible terrorist involvement. Close coordination between the Departments of State, Homeland Security and Justice is required to determine who might have been admitted to the US on a revoked visa and what can be done about it. Statutory and regulatory changes, as well as a revision to the language of the revocation instrument, may be required to address this vulnerability. Finally, the Subcommittee will examine progress being made to improve public safety wireless communications, reduce conflicting frequency usage and apply interoperability standards to first responder equipment.



Subcommittee on Government Efficiency & Financial Management

Management consultants from IBM, BearingPoint, and Deloitte Consulting testified before the Subcommittee on June 16, 2004, to discuss the role of private sector consultants and systems integrators in financial management at Federal agencies. As business practices evolve from a focus on accounting and data entry to strategic management and analysis, consultants are playing an increasingly important role in transforming the way the government operates.

As a follow-up to a hearing the Subcommittee held last year in which leading software vendors testified on their role in government financial systems, the June hearing focused on the consultants who design and implement those systems. Witnesses discussed best practices that can be applied government-wide and offered views on changes needed in agency management – strong executive leadership, user involvement, clear definitions of requirements, proper planning, and realistic expectations – and challenges unique to the Federal environment.

A hearing scheduled for July 7th, will focus on the DOD's Business Management Modernization Project, an ambitious re-engineering that will include an overhaul of the Department's financial management. DOD has longstanding accounting problems, and its financial statements – representing more than 50% of discretionary spending – have never earned an unqualified or "clean" audit opinion. Poor financial management can negatively impact DOD's mission, as evidenced by recent National Guard pay

problems. Legislative proposals affecting the independence and structure of agency Inspectors General will be discussed in a July 14th hearing.



Subcommittee on Technology, Information Policy, Intergovernmental Relations & the Census

The month of June was another extremely busy time for the Subcommittee and the month of July promises to continue that trend. Information security and E-government were the focus of oversight hearings during the month, as the Subcommittee examined computer vulnerability management strategies as well as tools and technologies available to assist small business and home computer users in protecting themselves against worms, viruses, spyware, phishing, fraud, and identity theft. The Subcommittee also conducted a hearing to review the progress made and obstacles identified in achieving the goals and objectives of the federal government's effort to manage and coordinate geospatial information and geographic information systems as a follow-up to a similar hearing last year. A hearing to explore the federal information technology research and development program was necessarily postponed to July.

Additionally, the Subcommittee moved to advance H.R. 3478, which improves the efficiency of operations of the National Archives and Records Administration, to final approval. Further, Chairman Putnam joined with Government Reform Committee Chairman Davis to introduce H.R. 4570, an amendment to the Clinger-Cohen Act that would add language to explicitly identify information security as a required consideration of all federal information technology investment decision making and strategic planning.

The Subcommittee will be busy during the month of July with five oversight hearings scheduled over a two-week period. In addition to the rescheduled Federal IT R&D hearing, the Subcommittee will focus on advances in intergovernmental information sharing capabilities in the areas of law enforcement, homeland security, and public health information. The ability of federal agencies to share information horizontally, as well as the ability to receive and share information with state and local governments is critical to successfully planning for and responding to events that require emergency response. The Subcommittee will examine progress and impediments to the development and implementation of effective information sharing networks and the role that technology plays in achieving such an important objective.

In addition, the Subcommittee will conduct a hearing that will examine the current role and responsibilities of the federal chief information officer (CIO); where the position is located in the agency organization; as well as the responsibility, authority, and accountability assigned to this critical position within the agency leadership. There is evidence of a lack of consistency in this area and the Subcommittee will review the potential impact on compliance with the requirements of the Federal Information Security Management Act (FISMA) as well as the established capital planning and other responsibilities articulated in the Clinger-Cohen Act. Lastly, the Subcommittee will conduct a rescheduled oversight hearing on the current status of technology available for utilization in electronic voting for federal, state, and local government elections.

Finally, Chairman Putnam convened Phase II of the Corporate Information Security Working Group (CISWG) to continue working on private sector driven, market based strategies for improving the computer information security protection profile of corporate America.

The Subcommittee staff would like to acknowledge and thank two of our extremely valuable summer interns, Colin Samples and Kaitlyn Jahrling, for the important contributions to the Subcommittee efforts.



**Subcommittee on
Criminal Justice,
Drug Policy and
Human Resources**

The Subcommittee concluded a busy month of June with two field hearings in Arkansas and New Mexico. The June 28th hearing in Bentonville, Arkansas, entitled "Ice in the Ozarks: The Methamphetamine Epidemic in Arkansas," focused on the state of methamphetamine trafficking; production and abuse in Arkansas and the Southern region of the U.S.; and how the federal government can assist state and local authorities in combating this growing problem through law enforcement, environmental clean-up, and drug treatment and prevention programs. The hearing provided an opportunity for several groups to discuss these issues and suggest solutions. These groups included representatives of federal and local agencies with experience in fighting methamphetamine trafficking; organizations that specialize in the environmental aspects of the problem; and groups that specialize in the treatment and prevention of meth addiction and abuse. Fifteen witnesses testified to the rampant production and abuse of methamphetamine in northwestern Arkansas, and requested

assistance from the federal government in combating it.

On June 29th, the Subcommittee held a hearing in Las Cruces, New Mexico, to explore the impact of the drug trade, the status of law enforcement along the border between the Texas/New Mexico region and Mexico, and ways to improve security on the border. The hearing provided an opportunity for regional representatives of the principal agencies entrusted with the security of our borders, as well as representatives of state and local agencies, to discuss these issues and suggest solutions. Eight witnesses, including local supervisors of the DEA, DHS, and the New Mexico State Police, gave testimony about the extent of the drug trafficking problem and the level of coordination and commitment in the government's response.

On July 7th, the Subcommittee will hold a hearing entitled "Part II -- Ensuring Accuracy and Accountability in Laboratory Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?" The hearing, a follow-up to a hearing held by the Subcommittee on May 18th, will further address revelations concerning the release of invalid lab test results to hundreds of patients at Maryland General Hospital. Subsequent to the first hearing on this matter by the Subcommittee, two separate investigations have commenced: a state Medicaid fraud investigation, related to laboratory billings, and a Federal investigation by the Department of Health and Human Services' Office of Inspector General.



**Subcommittee on
Human Rights and
Wellness**

The Cuban government, led by Communist Dictator Fidel Castro, has had a long history of atrocious human rights violations since he assumed power on January 1, 1959. In recent years, Castro has executed several outrageous initiatives, such as the March 2003 Dissident Crackdown, in an effort to squash all opposition to his totalitarian regime. In fact, Castro has ordered the arrest of numerous writers, poets, and pro-democracy activists, and charged them with "crimes against the country." These unjust campaigns have led to the wrongful incarceration of hundreds of peaceful Cuban dissidents for indefinite sentences, leaving their families with no avenue for appeal.

On June 16th, Chairman Dan Burton (R-IN) held an oversight hearing entitled, "Living in Fear: The Continued Human Rights Abuses in Castro's Cuba." The Subcommittee examined President Bush's comprehensive Cuba policy plan, as well as the international community's ongoing efforts to end the egregious human rights violations perpetrated by Castro.

Currently, the United States along with democratic members of the international community have taken bold actions in response to the harsh and unjust imprisonment of peaceful political dissidents in Cuba. The U.S. has imposed a series of strict trade sanctions and travel restrictions, to send a clear message to the Castro regime and those supporting it, that the U.S. will not tolerate such oppressive actions. In addition, on April 15, 2004, the United Nations Human Rights Commission passed a U.S.-backed resolution stating that Cuba, "should refrain from adopting measures which could jeopardize the fundamental rights of its citizens." Furthermore, the European Union took action last year, when member

states imposed stern measures against Cuba, which include: suspending high-level diplomatic visits, reviewing the value of cultural exchanges, and inviting dissident activists to diplomatic events as a call to Fidel Castro to end these unlawful incarcerations.

Chairman Dan Burton convened an oversight hearing, entitled “Living with Disabilities in the United States: A Snapshot,” on June 24, 2004, to examine the quality of life experienced by persons with disabilities in the U.S. In addition, the Subcommittee discussed a wide range of efforts on the part of the Federal Government, as well as non-governmental organizations to expand the participation of and contributions from this population of America.

According to the United States Census Bureau, there are currently over 49 million individuals in the United States living with some form of disability. Unfortunately, a majority of this underserved population doesn’t enjoy nearly the same quality of life that many of us take for granted everyday.

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